

IN RE OHIO CRIMINAL SENTENCING STATUTES CASES.

**[Cite as *In re Ohio Criminal Sentencing Statutes Cases*,
109 Ohio St.3d 411, 2006-Ohio-2394.]**

*Criminal law — Felonies — Sentencing — Cases accepted and disposed of on the
authority of State v. Foster.*

(Submitted May 10, 2006 — Decided May 17, 2006.)

{¶ 1} The following dispositions of currently pending appeals are hereby entered based on our decision in *State v. Foster*, 109 Ohio St.3d 1, 2006-Ohio-856, 845 N.E.2d 470.

MOYER, C.J., RESNICK, PFEIFER, LUNDBERG STRATTON, O'CONNOR, O'DONNELL and LANZINGER, JJ., concur.

I

{¶ 2} Discretionary appeals are accepted in the following cases, the judgments of the courts of appeals are affirmed as to their holdings regarding the unconstitutionality of Ohio's criminal sentencing statutes and reversed as to their holdings that modified the defendant's sentence, and the causes are remanded to the trial courts for resentencing:

{¶ 3} 2005-2034. *State v. Weber*, Hamilton App. No. C-040820, 2005-Ohio-4854.

{¶ 4} 2005-2106. *State v. Sullivan-Griggs*, Hamilton App. No. C-040853.

II

{¶ 5} Discretionary appeals are accepted in the following cases, the judgments of the courts of appeals are reversed, and the causes are remanded to

SUPREME COURT OF OHIO

the trial courts for resentencing. If propositions of law are noted, such reversals apply only to those portions of the judgments of the courts of appeals as are implicated by the applicable propositions of law:

{¶ 6} 2006-0182. *State v. Lyles*, Allen App. No. 1-04-63, 2005-Ohio-6860.

{¶ 7} 2006-0188. *State v. Taylor*, Licking App. No. 05-CA-34, 2005-Ohio-6701.

{¶ 8} 2006-0192. *State v. Bulgin*, Lorain App. No. 05CA008697, 2005-Ohio-6734.

{¶ 9} 2006-0208. *State v. Dykes*, Cuyahoga App. No. 86148, 2005-Ohio-6636. Accepted on Proposition of Law Nos. II and III.

{¶ 10} 2006-0224. *State v. Simmons*, Lake App. No. 2004-L-131, 2005-Ohio-6706.

{¶ 11} 2006-0225. *State v. Detlor*, Union App. No. 14-04-29, 2005-Ohio-6695.

{¶ 12} 2006-0231. *State v. Cottrell*, Columbiana App. No. 04 CO 53, 2005-Ohio-6923. Accepted on Proposition of Law No. III.

{¶ 13} 2006-0233. *State v. Nolan*, Warren App. No. CA2005-05-062. Accepted on Proposition of Law No. II.

{¶ 14} 2006-0274. *State v. Simmons*, Lake App. No. 2004-L-154, 2005-Ohio-6896.

{¶ 15} 2006-0306. *State v. McDowell*, Franklin App. No. 03AP-1187, 2005-Ohio-6959.

{¶ 16} 2006-0317. *State v. Haverland*, Hamilton App. No. C-050119, 2005-Ohio-6997. Accepted on Proposition of Law No. II.

{¶ 17} 2006-0342. *State v. Bryant*, Cuyahoga App. No. 85836, 2005-Ohio-6358. Accepted on Proposition of Law No. VIII.

{¶ 18} 2006-0381. *State v. Phipps*, Cuyahoga App. No. 86133. Accepted on Proposition of Law No. III.

{¶ 19} 2006-0385. *State v. Kendrick*, Montgomery App. No. 20965, 2006-Ohio-311. Accepted on Proposition of Law No. V.
